

REMARKS

In the Office Action the Examiner noted that claims 1-28 are pending in the application, and that claims 1-14 are withdrawn from consideration. The Applicants note that claims 1-14 have actually been previously cancelled without prejudice or disclaimer, and that therefore only claims 15-28, which were rejected by the Examiner, are actually pending. By this Amendment, claims 15, 21, and 28 have been amended. No new matter has been presented. Thus, claims 15-28 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Claim Rejections Under 35 USC §102

In items 1-23 on pages 2-6 of the Office Action the Examiner rejected claims 15-16, 19-24, and 26-28 under 35 U.S.C. §102(b) as being anticipated by Prehofer. The Applicants respectfully traverse the Examiner's rejections of these claims.

Claim 15 of the present application, as amended, recites a radio system with at least one radiocommunication device "wherein the error configuration information is used to enable communication between the radiocommunication device and the error detection device." The Applicants respectfully submit that Prehofer does not disclose or suggest at least this feature of claim 15.

Prehofer discloses reconfiguration within a local adhoc network, and fallback of the concerned nodes to the previous configuration in case of error. In other words, the reconfiguration is performed by the nodes themselves in the local adhoc network. Therefore, no remote error treatment, such as that enabled by the recited features of claim 15, is contemplated by Prehofer.

The Applicants respectfully note that any discussion terms presented in the preceding paragraph are merely presented to the Examiner to aid in understanding of some of the differences between Prehofer and the recited features of claim 15. The Applicants are not relying on any of the discussion terms as patentably distinguishable differences. Rather, the Applicants are explicitly relying on at least the recited feature of "wherein the error configuration information is used to enable communication between the radiocommunication device and the error detection device" as not being disclosed or suggested by Prehofer.

Therefore, Prehofer does not disclose or suggest at least the feature "wherein the error configuration information is used to enable communication between the radiocommunication

device and the error detection device.” Accordingly, Prehofer does not disclose every element of the Applicants' claim 15. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Prehofer does not disclose the features recited in independent claim 15, as stated above, it is respectfully submitted that claim 15 patentably distinguishes over Prehofer, and withdrawal of the §102(b) rejection is earnestly and respectfully solicited.

Claims 16 and 19-20 depend from claim 15 and include all of the features of that claim plus additional features which are not disclosed or suggested by Prehofer. Therefore, it is respectfully submitted that claims 16 and 19-20 also patentably distinguish over Prehofer.

Independent claims 21 and 28, as amended, recite similar features to those discussed above in regard to claim 15, and which are not disclosed or suggested by Prehofer. Therefore, it is respectfully submitted that claims 21 and 28 also patentably distinguish over Prehofer.

Claims 22-24 and 26-27 depend from claim 21 and include all of the features of that claim plus additional features which are not disclosed or suggested by Prehofer. Therefore, it is respectfully submitted that claims 22-24 and 26-27 also patentably distinguish over Prehofer.

Claim Rejections Under 35 USC §103

In items 24-34 on pages 7-8 of the Office Action the Examiner rejected claims 17-18 and 25 under 35 U.S.C. §103(a) as being unpatentable over Prehofer in view of Huilgol. The Applicants respectfully traverse the Examiner's rejections of these claims.

As discussed in the previous section of this Amendment, claims 15 and 21 patentably distinguish over Prehofer. Further, as Huilgol apparently merely discloses an error treatment device integrated separate from the control unit, Huilgol does not cure the deficiencies of Prehofer in regard to those claims. Therefore, as claims 17-18 depend from claim 15, and claim 25 depends from claim 21, and these dependent claims include all of the features of the respective claims upon which they depend plus additional features which are not disclosed or suggested by the cited references, it is respectfully submitted that claims 17-18 and 25 also patentably distinguish over the cited references.

Summary

In accordance with the foregoing, claims 15, 21, and 28 have been amended. No new matter has been presented. Thus, claims 15-28 remain pending in the application.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Thomas L. Jones
Thomas L. Jones
Registration No. 53,908

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501